

LAW NO: 9/91-
LAW ON THE PROTECTION OF
THE RIGHTS OF CHILDREN

-Introduction

1. It shall be the duty of the Maldivian Government, Parents and the General Public to bring up Maldivian children as healthy and patriotic persons who follow Islam. In pursuance of this duty, the provisions specified here under must be fulfilled to protect the rights of children.

CHAPTER 1

Duties of the government

Provisions of medical facilities and guidance to protect and promote the health of children and maternal health.

Particular attention to be given to children in the prevention of epidemics.

Efforts to reduce infant mortality

2. Guidance and services for pre-natal and post-natal health care for mothers and children shall be provided subject to the economic situation of the Maldives at the time. Efforts shall be made to ensure the availability of and access to food and medicine essential for children in all inhabited islands.
3. Particular attention must be given to children in the vaccination and in the taking of other preventive measures for the protection of the public from plagues and epidemics.
4. Causes of infant mortality must be identified and every effort must be made to eliminate such causes and the necessary guidance there of must be provided to the public.

Provision and facilitation of education and upbringing of children and the provision of sports facilities.

5. Education and upbringing of children shall be facilitated and provided for in every inhabited island of the Maldives, as maybe appropriate, subject to the economic situation and the availability of resources to the Government. In particular, provision must be made to enable every child to learn the essential requirements of the religion. Further facilities of leisure, sports and recreational activities for children shall also be provided subject to the availability of resources at the time.

Special assistance to and treatment of mentally or physically disabled children.

6. Treatment and care of mentally or physically disabled children shall be facilitated to the extent possible at the time. Efforts shall be made to enable such children to participate in the activities of the community by providing the special care and assistance required by them.

Special television and radio programmes for children.

7. Special programmes providing useful information and guidance to children shall be included in television and radio programmes. Such programmes must not contain any material verbal or pictorial, which may adversely influence the morals or behaviour of children.

Rehabilitation of juvenile delinquents

8. Efforts must be made to discourage children from misbehaving and violating rules and regulations on the streets and in public places. The Government must organize, in such manner as is possible at the time, the rehabilitation and upbringing of children who are not reformed by such efforts.

Establishment of a special procedure to deal with juvenile delinquents and giving preference to rehabilitation without punishment.

9. A special procedure must be established for the investigation, adjudication of and the imposition of punishment, wherever necessary, for offences committed by children. Further, preference shall be given to rehabilitation of children, who are

considered minor in Shari'ah, without imposing punishment on such children.

Avoidance of physically and psychologically injurious punishment in schools.

10. Punishment given in schools must be appropriate to the age of the child and should not be physically or psychologically harmful to the child.

Particular attention to be given to the rights of the orphans and indigent children.

11. Particular attention shall be given to protect the rights of orphans and indigent children in the Maldives. The maintenance and welfare of children deprived of parents and children without legal guidance, who have no means of sustenance, should be provided for, in such manner as is possible at the time.

Non-disclosure of information relating to cases concerning children

12. Identity of and information relating to children who are victims of sexual abuse or of acts of exploitation or of acts detrimental to the integrity of a child shall not be disclosed to the public.

CHAPTER II Duties of Parents

Ensuring the health of mother and child

13. Appropriate measures shall be taken to ensure the pre-natal health of the mother and the health of the child after birth.

Provision of food, shelter and medical care.

14. Parents shall, to the best of their and within the means available to them, provide the child with food, clothing, shelter and medical care and such other requirements.

Education and upbringing

15. Parents shall, to the best of their ability and within the means available to them, take appropriate measures to

ensure the proper upbringing and well being of their children, and to facilitate their education to a reasonable standard and their requisite religious education.

Prevention of exploitation and of acts detrimental to the integrity of children.

16. Particular attention shall be given to prevent acts detrimental to integrity of children and acts of sexual abuse, exploitation and oppression against children. Knowledge of the commission of such an act or suspicion thereof shall promptly be reported to concerned government authority.

Provision of medical care to mentally or physically disabled children

17. Parents shall, as appropriate to the means available to them, provide medical care to children who are mentally or physically disabled at birth or thereafter, and shall make efforts to provide functional treatment to and rehabilitate such children.

Prohibition of punishment which may cause physical injury

18. No child shall, even as a measure of discipline be subjected to punishment which may cause physical injury or which may be detrimental to the health of the child.

Protection of children from being adversely affected by discord between parents

19. No parent shall, in the event of disagreement or conflict between parents or in the event of separation of parents, act in a manner detrimental to the health, education and conduct of the child.

Maintenance of children in the event of separation of parents

20. In the event of separation of parents, such parents shall provide for the maintenance of the child in accordance with Shari'ah.

Advising children on the adverse effects of marriage before the attainment of 16 years

21. Parents shall pay particular attention to prevent children from marrying before the they attain 16 years of age, considering the adverse physical and psychological effects on the of those who marry before attaining the necessary physical and mental maturity or the necessary maturity for bearing the responsibility of a parent. Further, parents shall, when warranted, advise their children on the adverse effects of marriage before attaining 16 years of age and shall discourage such marriages.

Advising children of the abuse of narcotic drugs and smoking.

22. Parents shall take measures within their power to prevent their children from abusing narcotic drugs. Parents shall also take measures to prevent their children from smoking.

Compliance with guidance given by the government

23. Parents shall comply with guidance given by Government authorities concerning the health, safety and education of children and other measures relating to children.

CHAPTER III Duties of the General public

Equal and humane treatment of children

24. All the children shall be treated equally and humanely and preference must be given to children in the provision of various services. Further, protection and assistance shall be given to children and expectant mothers during land, sea and air travel in the general pursuits of the community. Children under the age of 12 years shall be given special concession on land, sea, air and transportation fares.

Prohibition of exploitation of children and acts detrimental to the integrity of children

25. No persons shall commit an act that is detrimental to the integrity of children, nor shall any person commit an act of sexual abuse, exploitation or oppression against the child. Knowledge of the commission of such an act or suspicion thereof shall promptly be reported to the concerned Government authority.

Prohibition of making children perform work incompatible with their age and health

26. No child shall be required to perform any work which is incompatible with the age, health, and physical strength of the child. Further, no child shall be required to perform any work that may interfere with the child's education or may adversely influence the morals or behaviour of the child.

Prohibition of the employment of children under 14 years of age.

27. No child below the age of 14 shall be employed for remuneration. Where a child who has attained the age of 14 years is employed for remuneration, such child shall be assigned work compatible with the child's age and health, and shall be paid reasonable remuneration for the work performed and shall be provided medical care for injuries caused in the course of such employment.

Definitions

28. For the purpose of this law:-

- a) "children" means persons under the age of 16 years according to the Gregorian calendar and shall include human embryos and foetuses.
- b) "Parents" means the mother, father and legal guardian of the child and shall include persons having custody or guardianship of the child.
- c) "Psychological harm" and "psychological effect" means any adverse change, by reason of being deeply effected emotionally or mentally, to a person's behaviour or manner of rationalization.

